

MARQUIS AURBACH

10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

1 **Marquis Aurbach**
Nick D. Crosby, Esq.
2 Nevada Bar No. 8996
10001 Park Run Drive
3 Las Vegas, Nevada 89145
Telephone: (702) 382-0711
4 Facsimile: (702) 382-5816
ncrosby@maclaw.com

5 *Attorneys for LVMPD Defendants*

6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 SOLOMON COLEMAN, individually,
10 Plaintiff,

11 vs.

12 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; CHERYL HOOTEN,
13 individually; JOSEPH LEPORE, individually;
BRIAN SANTAROSSA, individually;
14 DONALD SHANE, individually; R. TENNANT,
individually; VICENTE RAMIREZ,
15 individually; LISA LUZAICH, individually,
16 Defendants.

Case Number: 2:20-cv-00739-JAD-BNW

17 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**
18 **(FIRST REQUEST)**

19 Pursuant to LR 6-1 and LR 26-4, Plaintiff, by and through his counsel of record,
20 Bradley M. Marx, Esq. of Marx Law Firm, PLLC and Defendants Las Vegas Metropolitan
21 Police Department ("LVMPD"), Joseph Lepore, Brian Santarossa, Donald Shane, and
22 Richard Tennant (collectively "LVMPD Defendants"), by and through their attorneys of
23 record, Nick D. Crosby, Esq., with the law firm of Marquis Aurbach, hereby stipulate and
24 request that this Court extend discovery deadlines in the above-captioned matter sixty (60)
25 days, up to and including November 9, 2022. In support of this stipulation and request, the
26 parties state as follows:
27

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1 **I. PROCEDURAL HISTORY**

2 1. On April 24, 2020, the Plaintiff filed his Complaint. ECF No. 1.

3 2. On October 13, 2020, the LVMPD Defendants filed their Motion to Dismiss
4 Plaintiff's Complaint. ECF No. 10.

5 3. On November 18, 2020, this Court granted the LVMPD Defendants' Motion
6 to Dismiss. ECF No. 26.

7 4. On December 1, 2020, the Plaintiff filed a Motion to Reopen Case. ECF No.
8 28.

9 5. On June 9, 2021, this Court granted Plaintiff's Motion to Reopen Case. ECF
10 No. 34.

11 6. On December 6, 2021, the LVMPD Defendants filed their Answer to
12 Plaintiff's Complaint. ECF No. 41.

13 7. On January 26, 2022, the parties filed their Stipulated Discovery Plan and
14 Scheduling Order. ECF No. 42.

15 8. On January 28, 2022, the Court filed the Scheduling Order.

16 **II. DISCOVERY COMPLETED TO DATE**

17 1. The parties participated in the FRCP 26 conference on January 12, 2022.

18 2. On March 16, 2022, the LVMPD Defendants served their Initial Disclosures
19 of Witnesses and Documents.

20 3. On April 28, 2022, the LVMPD Defendants served written discovery on the
21 Plaintiff.

22 4. On May 16, 2022, the Plaintiff served his Initial Disclosures of Witnesses
23 and Documents.

24 5. On May 27, 2022, the Plaintiff responded to the LVMPD Defendants' written
25 discovery.

26 6. On June 1, 2022, the Plaintiff served written discovery on the LVMPD
27 Defendants.

III. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties are in the process of scheduling depositions for the parties. Plaintiff anticipates conducting five depositions and Defendants will take the deposition of the Plaintiff. Counsel for Defendants is scheduled to be out of the jurisdiction from July 6-12, 2022 for his wedding and this was the week Plaintiff sought to schedule the Defendants' depositions. In an effort to allow sufficient time to coordinate the depositions, the parties are seeking the relatively brief, 60-day extension to ensure the parties have sufficient time to notice, prepare for and take the depositions, and address any discovery issues which may arise during the depositions.

IV. REMAINING DISCOVERY

1. The Plaintiff needs to take the depositions of the defendant officers.
2. The LVMPD Defendants need to take the deposition of the Plaintiff.
3. The LVMPD Defendants need to respond to the Plaintiff's written discovery.

V. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

LR 26-4 governs modifications of extensions of the Discovery Plan and Scheduling Order. Any stipulation or motion must be made no later than twenty-one (21) days before the expiration of the subject deadline, and comply fully with LR 26-4. The parties are submitting this request twenty-one (21) days before the expert deadline disclosure. Therefore, the parties respectfully request that the modification of a scheduling order be granted. The following is a list of the current discovery deadlines and the parties' proposed extended deadlines.

Scheduled Event	Current Deadline	Proposed Deadline
Rebuttal Expert Disclosures Pursuant to FRCP 26(a)(2)	June 13, 2022	N/A
Discovery Cut-Off	July 11, 2022	September 12, 2022
Dispositive Motion	August 10, 2022	October 10, 2022
Joint Pre-Trial Order	September 9, 2022	November 9, 2022 (if dispositive motions are filed)

the deadline for filing the joint pre-trial order will be suspended until 30 days after a decision on the dispositive motions or further court order)

This request for extensions of time is not sought for any improper purpose or for purposes of delay. The parties have been diligent in their written discovery and disclosures and request the instant extension to allow for adequate time to prepare for and conduct the depositions of the parties. Therefore, the parties respectfully submit that the reasons set forth above constitute good cause for the discovery extension.

WHEREFORE, the parties respectfully request that this court extend the discovery dates as outlined in accordance with the table above.

IT IS SO STIPULATED this 2nd day of June, 2022.

MARQUIS AURBACH

MARX LAW FIRM, PLLC

By: s/Nick D. Crosby

By: s/Bradley M. Marx

Nick D. Crosby, Esq.
Nevada Bar No. 8996
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for LVMPD Defendants

Bradley M. Marx, Esq.
Nevada Bar No. 12999
601 So Rancho Drive, Suite B-14
Las Vegas, Nevada 89106
Attorneys for Plaintiff

ORDER

IT IS SO ORDERED

DATED: June 3, 2022


United States District Court Magistrate Judge